

PLEASANT HILL REDEVELOPMENT AGENCY
RULES AND PROCEDURES

Last Amended by Resolution No. 708-06, Adopted May 15, 2006

Reprinted July 2006

TABLE OF CONTENTS

| | |
|---|---|
| 1. GENERAL RULES FOR REDEVELOPMENT AGENCY MEETINGS | 1 |
| 1.1 Meetings Open to the Public | 1 |
| 1.2 Time and Place of Redevelopment Agency Meetings | 1 |
| 1.3 Adjournment of Meeting..... | 1 |
| 1.4 Quorum..... | 1 |
| 1.5 Types of Meetings..... | 2 |
| a. Adjourned Meetings..... | 2 |
| b. Continued Hearings | 2 |
| c. Special Meetings | 2 |
| d. Study Sessions | 2 |
| e. Closed Sessions..... | 2 |
| f. Emergency Meetings | 2 |
| g. Teleconferences | 3 |
| 1.6 Regulations for Public Participation..... | 3 |
| 1.7 Minutes; Record Keeping | 3 |
| a. Transcripts of Recordings..... | 3 |
| b. Recordation of Votes | 3 |
| c. Appointments..... | 3 |
| d. Tentative Minutes | 4 |
| 1.8 Parliamentary | 4 |
| 2. ELECTION OF REDEVELOPMENT AGENCY OFFICERS | 4 |
| 2.1 Election of Officers..... | 4 |
| a. Election years | 4 |
| b. Non-Election years..... | 4 |
| 2.2 Filling Vacancies..... | 4 |
| 2.3 Election or Removal | 4 |
| 2.4 Term Limits | 4 |
| 3. DUTIES OF OFFICERS AND AGENCY MEMBERS | 4 |
| 3.1 Chair's Duties | 4 |
| 3.2 Chair's Powers..... | 4 |
| 3.3 Vice Chair's Duties | 5 |
| 3.4 Temporary Presiding Officer..... | 5 |
| 3.5 Agency Members' Duties..... | 5 |
| a. Notice of Absence..... | 5 |
| b. Abstention from voting..... | 5 |
| c. Committee Work and Reporting | 6 |

| | |
|---|----|
| 4. REDEVELOPMENT AGENCY AGENDA PREPARATION; CONTENTS | 6 |
| 4.1 Policy..... | 6 |
| 4.2 Agenda Preparation..... | 6 |
| a. Agenda Calendar..... | 6 |
| b. Tentative Agenda..... | 6 |
| c. Agenda Contents | 7 |
| d. Agenda Posting..... | 7 |
| 4.3 Item/Package Deadlines..... | 9 |
| 4.4 Package Delivery..... | 9 |
| 4.5 Package Availability to the General Public..... | 9 |
| 5. DECORUM..... | 9 |
| 5.1 Decorum Generally – Redevelopment Agency members | 9 |
| 5.2 Decorum Generally - Public..... | 10 |
| 6. CONDUCT OF BUSINESS | 10 |
| 6.1 Policy..... | 10 |
| 6.2 Call to Order | 10 |
| 6.3 Roll Call..... | 10 |
| 6.4 Public Comment | 10 |
| 6.5 Consent Calendar..... | 11 |
| 6.6 Public Hearings, Generally..... | 11 |
| a. Time Limitations..... | 12 |
| b. Written Comment | 12 |
| c. Questions to proponents, opponents, and staff..... | 12 |
| d. Outside Evidence | 12 |
| e. Evidence Available | 12 |
| f. Continuing Hearings..... | 12 |
| 6.7 Rules Concerning Public Participation in Public Hearings and Non-Public Hearings | 12 |
| a. Policy..... | 12 |
| b. Protocol | 13 |
| c. Advance Requests to Speak | 13 |
| d. Requests to Speak Submitted at the Meeting..... | 13 |
| e. Duplication of Remarks | 13 |
| f. Agency Discussion and Action | 13 |
| 6.8 Rules Of Debate And Order..... | 14 |
| a. Rights of the Chair | 14 |
| b. Floor Debate | 14 |
| c. Restriction of Discussion..... | 14 |
| d. Motions..... | 14 |
| e. Precedence of Motions | 15 |
| f. Types of Motions..... | 15 |

| | |
|--|----|
| 7. VOTING AND DECISION; RESOLUTION; RECONSIDERATION | 16 |
| 7.1 Votes on Resolutions Granting Franchises..... | 16 |
| 7.2 Votes on Other Motions..... | 16 |
| 7.3 Tie Votes | 16 |
| 7.4 Voting Procedure | 16 |
| a. Changing Vote | 16 |
| b. Voting Disqualification..... | 16 |
| c. Roll Call Voting..... | 16 |
| 7.5 Resolution as Final Action..... | 16 |
| 7.6 Reconsideration of Quasi-Judicial Actions..... | 17 |
| a. Timing of Motion to Reconsider | 17 |
| b. Effect of Approval of Motion..... | 17 |
| 7.7 Reconsideration of Legislative or Other Non-Quasi-Judicial Actions | 17 |
| 8. COMMISSION/COMMITTEES | 17 |
| 8.1 Agency Subcommittees..... | 17 |
| 8.2 Agency Committees..... | 18 |
| 8.3 Time | 18 |
| 9. APPOINTMENTS TO BOARDS OF OTHER GOVERNMENT AGENCIES..... | 18 |
| 9.1 Agency Member..... | 18 |
| 9.2 Citizen | 18 |
| 9.3 Time | 18 |

REDEVELOPMENT AGENCY RULES AND PROCEDURES

The following rules and procedures, which were adopted by Resolution No. 708-06 on May 15, 2006, in addition to the Brown Act and other applicable laws, shall govern the conduct of the Redevelopment Agency and staff with respect to Redevelopment Agency meetings.

1. GENERAL RULES FOR REDEVELOPMENT AGENCY MEETINGS

- 1.1 Meetings Open to the Public.** The Redevelopment Agency is subject to the Brown Act Open Meeting Law. (Government Code §54950 *et seq.*). All meetings of the Redevelopment Agency are open to the public, except for closed sessions which are authorized to be held in private under the Brown Act.
- 1.2 Time and Place of Redevelopment Agency Meetings.** Regular meetings of the Redevelopment Agency shall be held at the City Hall Council Chambers at 100 Gregory Lane, Pleasant Hill, California, except as otherwise provided from time-to-time. The regular meetings of the Redevelopment Agency shall be held the first and third Mondays of each month, unless any such Monday is a holiday, in which case the regular meeting shall be on the next non-holiday Monday. On the first regular meeting of the month, the Redevelopment Agency meeting will start immediately after the City Council meeting, which will start at 7:30 p.m. On the second meeting of the month, the Redevelopment Agency meeting will start at 7:30 p.m., preceding the City Council meeting.
- 1.3 Adjournment of Meeting.** No new item will be commenced after 11:00 p.m. unless authorized by a majority vote of the Redevelopment Agency. Meetings will be adjourned by 12:00 a.m., unless extended by a majority vote of the Redevelopment Agency. Meetings may be extended in 30-minute increments. A motion for adjournment is always in order and, upon a second, shall be voted on without debate.
- 1.4 Quorum.** Three Agency Members in attendance at a meeting shall constitute a quorum. If there is no quorum, the Chair (see Section 3, below), Redevelopment Administrator or Agency Secretary shall adjourn such meeting to a stated time and place. If adjourned by the Redevelopment Administrator or Agency Secretary, a written notice of the adjournment shall be given in the manner provided in Government Code §54956 for special meetings, unless such notice is waived as provided therein. In considering any item subject to a vote, when an Agency Member disqualifies himself or herself on account of a conflict of interest pursuant to Government Code §81000 *et seq.*, contractual conflict pursuant to Government Code §1090, incompatibility of offices pursuant to Government Code §1126, or any other legal provision requiring abstention, his or her presence shall not be considered in determining the presence of a quorum. Once it is determined there is no quorum, consideration of such item shall be deferred until a quorum of non-interested Agency members is present to discuss and vote on the item. Or, if no quorum is possible, the "rule of necessity" may apply. (See also Section 7 herein, Voting, and Section 3.5.b).

1.5 Types of Meetings. In addition to the regularly scheduled meetings, the Redevelopment Agency may conduct any of the following types of meetings:

- a. **Adjourned Meetings.** The Redevelopment Agency may adjourn a regular or special meeting to a time and place specified in an order of adjournment. If all members are absent or there is less than a quorum, the Chair or Redevelopment Administrator may declare the meeting adjourned to a stated time and place and post notice of that fact consistent with Government Code §54955.
- b. **Continued Hearings.** The Redevelopment Agency may continue any hearing to a subsequent meeting, stating the specific date, time and place. (Government Code §54955.1).
- c. **Special Meetings.** A special meeting may be called by the Chair or by a majority of the Redevelopment Agency. Notice must be given in conformance with Government Code §54956. The notice shall state the business to be discussed. No other business may be considered at the special meeting. (See Government Code §54956.)
- d. **Study Sessions.** The Redevelopment Agency may meet in study session, open to the public at a time and place designated by the Chair or a majority of the Redevelopment Agency. No vote shall be taken at a study session, but the Chair may ask the Agency members to express their opinions for the purpose of giving guidance to the staff on specific questions.
- e. **Closed Sessions.** The Redevelopment Agency may meet in closed session (not open to the public), as provided by California law. No member of the Redevelopment Agency, City or Agency employee or person present during a Closed Session, shall disclose to any third person or party not present at the Closed Session, the content or substance of any confidential discussions which took place during said session, unless the Redevelopment Agency votes to authorize disclosure of such information by a majority vote, except as otherwise required by law.
- f. **Emergency Meetings.** The Redevelopment Agency may hold an emergency meeting pursuant to Government Code §54956.5 if a majority of the members of the Redevelopment Agency determine that there is 1) a work stoppage or other activity which severely impairs public health, safety, or both, or 2) a crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the members of the Redevelopment Agency. Notice shall be given as provided in Government Code §54956.5.

- g. Teleconferences.** The Redevelopment Agency may use teleconferencing for the benefit of the public and the Agency members for any Redevelopment Agency meeting. Teleconference locations shall be open to the public and agendas shall be posted at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting. At least a quorum of the Redevelopment Agency must be present at locations within the Agency's jurisdiction. All votes taken during a teleconferenced meeting shall be by roll call vote. (Government Code §54953.)

1.6 Regulations for Public Participation. Anyone may record a meeting as long as it does not constitute a disruption of the proceedings. The Chair or a majority of the Redevelopment Agency may adopt reasonable regulations for public participation, including time limits for public testimony and comment. Writings which are public records and which are distributed at a public meeting shall be made available for public inspection at the meeting if prepared by the Agency, or after the meeting if prepared by some other person. (Government Code §54953 - §54954.3, §54957.5) (See also Sections **5** (Decorum), **6.4** (Public Comment), **6.6** (Public Hearings) and **6.7** (Rules)).

1.7 Minutes; Record Keeping. It is the policy of the Redevelopment Agency that all meetings of the Redevelopment Agency shall be recorded on audiotape and videotape, where possible. These recordings shall not be considered as minutes and shall be used only to assist the Agency Secretary in preparation of minutes or for general reference and informational purposes. The recordings shall be maintained by the Agency Secretary and retained for a period of not less than five years, after which they may be erased. Members of the general public may refer and listen to these tapes, provided that the tapes shall remain under the supervision and custody of the Agency Secretary or other designated employee during such time, and provided that listening shall be during normal working hours.

- a. Transcripts of Recordings.** The Agency Secretary shall not be required to provide transcripts of such records. However, private arrangements to secure such transcripts may be made with the Agency Secretary.
- b. Recordation of Votes.** If all five Agency members are present and there are five "aye" votes, the minutes may indicate a unanimous vote. In all cases, the minutes shall indicate the names of Agency members voting "aye" and those voting "no." Also, those absent and those abstaining shall be included. In the case of a member who is disqualified from voting and has absented himself or herself from the dais during the discussion and voting, the minutes shall indicate his or her abstention.
- c. Appointments.** Minutes shall reflect appointments to or removals from Agency commissions and committees.

- d. **Tentative Minutes.** Tentative minutes are those yet to be approved by the Redevelopment Agency.

- 1.8 **Parliamentarian.** The City Attorney shall act as Parliamentarian for all Redevelopment Agency meetings and shall respond to questions regarding procedures and compliance with these Rules and Procedures. The Chair, or a majority of the Agency, shall maintain the authority to make final decisions regarding order and compliance with these Rules and Procedures.

2. ELECTION OF REDEVELOPMENT AGENCY OFFICERS

- 2.1 **Election of Officers.** The Redevelopment Agency shall elect a Chair and Vice Chair for one year terms as follows:
 - a. **Election years:** At the Agency meeting on which day the City Council certifies the municipal election results, but in no event later than the first regular meeting in the month of December.
 - b. **Non-Election years:** At the second meeting in the month of November.
- 2.2 **Filling Vacancies.** If the office of Chair or Vice Chair becomes vacant for any reason, including resignation, death, recall, municipal election, or removal by majority vote, the Redevelopment Agency shall elect one of its members to fill the vacancy at the next regular meeting.
- 2.3 **Election or Removal.** The election or removal of Chair or Vice Chair shall require three affirmative votes.
- 2.4 **Term Limits.** Agency members may serve as Chair or Vice Chair for any number of terms, but may not serve as either for more than two consecutive terms.

3. DUTIES OF OFFICERS AND AGENCY MEMBERS

- 3.1 **Chair's Duties.** The Chair shall be the official head of the Agency for all ceremonial purposes and shall be the presiding officer at Redevelopment Agency meetings. The Chair shall assume his/her duties immediately upon the election of Redevelopment Agency officers at the Redevelopment Agency's reorganization meeting.
- 3.2 **Chair's Powers.** In presiding at a Redevelopment Agency meeting, the Chair shall facilitate and guide the meeting, establish seating assignments for Agency members at the dais, preserve order and decorum, and ensure that the meeting runs smoothly, fairly, and in accordance with these Rules and Procedures. The Chair shall exercise the power to limit the time of any person speaking from the floor, state questions coming before the

Redevelopment Agency, announce its decision on all subjects and decide all questions of order, subject, however, to an appeal to the Redevelopment Agency as a whole. In the event of an appeal to the Redevelopment Agency as a whole, a majority vote shall govern and conclusively determine questions of order. The Chair may make motions, vote or abstain on all motions. The Chair, or if the Chair is unavailable, the Vice-Chair, shall sign all resolutions and other documents adopted and approved by the Redevelopment Agency, unless the Redevelopment Agency designates otherwise. (See Section 6.8.b)

- 3.3 Vice Chair's Duties.** The Vice Chair shall assume the duties of and serve as the Chair whenever the Chair is temporarily unable to serve.
- 3.4 Temporary Presiding Officer.** In the absence of both Chair and Vice Chair from a Redevelopment Agency meeting, the Redevelopment Administrator shall call the Redevelopment Agency to order, whereupon the Redevelopment Agency members present shall elect a temporary presiding officer to serve as Chair until the arrival of the Chair or Vice Chair, or until adjournment.
- 3.5 Agency members' Duties.** It is the duty of each Agency member to attend meetings, adhere to these Rules and Procedures and to cast votes, (unless excused) as outlined below.
- a. Notice of Absence.** An Agency member should give notice to the Chair, Agency Secretary, Redevelopment Administrator or Executive Director at least three hours in advance of the meeting if the Agency member intends to be absent or late in arriving at a Agency meeting.
 - b. Abstention from voting.** An Agency member must abstain from voting if:
 - 1) the Agency member has a personal or financial interest in the matter as defined in the California Political Reform Act (Government Code §81000 *et seq.*); or
 - 2) the law otherwise declares the Agency member's participation to be a conflict of interest (See e.g., Government Code §1090, §1126, §81000 *et seq.*); or
 - 3) the member is disqualified as to that matter because of his or her absence from the hearing on the matter and failure to review the testimony and evidence presented.

If an Agency member is disqualified, he or she shall declare this fact and the reason for it on the record, and shall leave the dais until the matter is concluded.

- c. **Committee Work and Reporting.** The business of the Redevelopment Agency will from time to time require work in Agency Subcommittees or Ad Hoc Committees, and through Agency member participation on Boards of other governmental agencies. It shall be the duty of any Agency member sitting on such Subcommittees, Committees or Boards to make periodic reports to the Redevelopment Agency as a whole and to the general public at regular Redevelopment Agency meetings. It shall also be the duty of any such Agency member to timely advise his or her alternate, if any, if the Agency member will be absent from any Subcommittee, Committee or Board meeting.

4. REDEVELOPMENT AGENCY AGENDA PREPARATION; CONTENTS

- 4.1 **Policy.** The Redevelopment Agency will not discuss any item of business not placed on the written agenda unless: (1) the item was continued to a specific date during a prior meeting, (2) by a two-thirds vote the Redevelopment Agency determines that there is a need to take immediate action and that such need arose after the agenda was posted (Government Code §54954.2), or (3) the Chair or Executive Director has called an emergency meeting pursuant to Government Code §54956.5, and a majority of the Redevelopment Agency votes that an emergency situation exists (Government Code §54954.2). If other matters are raised by the public under the "Public Comment" portion of the agenda, the Redevelopment Agency or staff may briefly respond and may refer the matter to staff or to a subsequent meeting. (Government Code §54954.2).
- 4.2 **Agenda Preparation.** There shall be a written agenda for each Redevelopment Agency meeting. The agenda shall contain a brief general description of each item of business to be transacted or discussed and shall include other matters as set forth in this Section 4 of these Rules and Procedures. The Redevelopment Administrator's office shall prepare the agenda and packets for Redevelopment Agency meetings in cooperation with the Chair. The Redevelopment Administrator and the Chair shall attempt to balance the agenda scheduling, so that if an agenda date is filled to reasonable capacity (approximately 3½ hours), then subsequent items will be scheduled for the next available meeting, when possible.
 - a. **Agenda Calendar.** The Redevelopment Administrator shall maintain and update a Redevelopment Agency agenda calendar covering a two-month period. Department heads and Agency members should notify the Redevelopment Agency's secretary of items they intend to submit for Agency consideration and indicate the agenda date for which they intend to schedule the item.
 - b. **Tentative Agenda.** A tentative agenda shall be submitted to the Chair or, in his or her absence, the Vice Chair, for review and approval no later than 5:00 p.m. on the Tuesday preceding the next scheduled Redevelopment Agency meeting. The Chair shall exercise sound discretion in approving the final agenda, and shall not remove an item from the tentative agenda absent good cause. Items on the tentative agenda

pursuant to a request of any Agency member may only be removed from the tentative agenda either (1) at the request or advice of the City Attorney or Executive Director or (2) due to valid time considerations (e.g., agenda date filled to reasonable capacity, additional time needed by staff or consultant for preparation of report, or failure to meet agenda time deadlines). At the request of any Agency member, any removed item shall be agendized for the next regular Redevelopment Agency meeting.

- c. **Agenda Contents.** The agenda shall include general information, a brief description of items of business, and the order of business (See Government Code §54954.2).

- 1) **General Information.** The agenda shall contain: an explanation of the consent calendar; an explanation of public participation procedure; the Agency's telephone number; the location of the meeting, speaker time limits; a statement that "No new matter will be commenced after 11:00 p.m. unless authorized by a majority vote of the Redevelopment Agency. Meetings will be adjourned by 12:00 a.m., absent a vote to extend;" a notification of special Council Chamber equipment; and a notification that Redevelopment Agency meetings are televised, with broadcast information.
- 2) **Brief Description of Items.** The agenda shall contain a brief general description of each item of business to be transacted or discussed. (Government Code §54954.2)
- 3) **Order of Business.** The agenda shall identify the order in which the business of the Redevelopment Agency shall be taken up, which shall be as follows, subject to change by the Chair, Vice-Chair, Executive Director or by a majority vote of the Redevelopment Agency:

- A. Call to Order and Pledge of Allegiance to the Flag
- B. Roll Call
- C. Ceremonial Matters, Proclamations and Presentation of Plaques of Appreciation

(These may be included on "Consent Calendar" if they are not to be presented to an organization or representative at the meeting).

- D. Closed Session

E. Public Comment

(Not to include items scheduled for public hearings. Public comment may be submitted to Redevelopment Administrator in writing on forms provided.)

F. Consent Calendar

(Consent items may include warrants, minutes, and non-controversial ordinances, resolutions and public hearings).

G. Discussions Items

1. Continued Public Hearings
2. New Public Hearings
3. Continued Items (other than public hearings)
4. New Items

(Requests to Agency staff for preparation of agenda reports and materials must be approved by a majority vote of the Redevelopment Agency)

H. Redevelopment Advisory Commission Report

I. Chair's and Agency members' Announcements and Reports

(Including reports of Subcommittees, Ad Hoc Committees and representatives to Boards of other public agencies, if any).

J. Adjournment

- d. **Agenda Posting.** Agendas for regular meetings shall be posted, as set forth in Government Code §54954.2, at least 72 hours before a regular meeting, in a location that is freely accessible to the public -- City Hall and the Police Services Building. The Redevelopment Administrator's office shall endeavor to have the agendas posted as early as practicable.

4.3 Item/Package Deadlines:

- a. Department heads and Redevelopment Agency members shall give tentative agenda titles to the Redevelopment Administrator and agenda reports with draft resolutions to the City Attorney by 6:00 p.m. on the second Thursday before the Redevelopment Agency meeting (11 days before the Redevelopment Agency meeting).
- b. Agenda cover sheets shall have the signature of the Redevelopment Administrator and resolutions shall have the City Attorney's approval as to form.
- c. Completed agenda packet items with cover sheet signed by appropriate personnel shall be submitted to the Redevelopment Administrator's office by 5:00 p.m. on the Wednesday preceding the Redevelopment Agency meeting.
- d. Failure to adhere to the time deadlines may result in the item being continued to a later agenda.
- e. Deadlines may be changed for holidays or other special circumstances as approved by the Executive Director.
- f. The Redevelopment Agency will not accept written packet material submitted at the time of the meeting (except evidence at a duly noticed public hearing) unless a majority of the Redevelopment Agency grants an exception.

4.4 Packet Delivery. The Redevelopment Administrator's office shall be responsible for the delivery of the packets to Agency members by 7:00 p.m. on the Thursday preceding the date of the Redevelopment Agency meeting. The Chair may authorize delivery on the Friday morning preceding the Redevelopment Agency meeting, if necessary.

4.5 Packet Availability to the General Public. It being the intention of Redevelopment Agency that its actions and deliberations be conducted openly, agenda packets shall be mailed to any member of the general public who requests mailing and is willing to pay for the costs of copying and delivery. If the request is made pursuant to Government Code §54954.1, the mailing shall occur at the time the agenda is posted. Otherwise, the mailing shall occur within one (1) business day of the request, but at the earliest practicable time. Agenda packets shall also be available for inspection and, upon payment of a fee, copying, as the Redevelopment Agency may from time to time direct.

5. DECORUM

5.1 Decorum Generally – Redevelopment Agency members. The Chair and all Redevelopment Agency members shall preserve order and decorum at Redevelopment Agency meetings. Redevelopment Agency members shall confine their remarks to the

agenda item under consideration and speak only when recognized by the Chair, except as otherwise provided in these Rules and Procedures. Once a Redevelopment Agency member is recognized, he or she shall not be interrupted unless called to order by the Chair. A Redevelopment Agency member shall not, by conversation or otherwise, disturb or disrupt the proceedings or the peace of the Redevelopment Agency in any way, nor disturb any other Agency member or member of the public while speaking, nor refuse to obey the orders of the Chair or Redevelopment Agency, except as otherwise provided herein.

- 5.2 Decorum Generally - Public.** While the Redevelopment Agency is in session, any members of the public may be invited by the Chair to approach the Redevelopment Agency podium on any item on the agenda prior to Redevelopment Agency voting while the Redevelopment Agency is in session, unless otherwise prohibited by law. Written messages to any Agency member while the Redevelopment Agency is in session shall be through the Redevelopment Administrator. In the event any meeting is willfully interrupted by any individual, group or groups of people so as to render the orderly conduct of such meeting unfeasible, the Chair may recess the meeting and require the removal of individuals who are willfully interrupting the meeting.

6. CONDUCT OF BUSINESS

- 6.1 Policy.** At the time set for regular meetings, the Redevelopment Agency members, Executive Director, Redevelopment Administrator, City Attorney and such department heads and other persons as have been requested to be present, shall take their regular stations in the Redevelopment Agency Chambers. The business of the Redevelopment Agency shall be conducted in substantially the order and in the manner set forth in these Rules and Procedures.
- 6.2 Call to Order.** At the time set for the meeting, the Chair shall take the place of the presiding officer and call the Redevelopment Agency to order.
- 6.3 Roll Call.** Before the Redevelopment Agency shall proceed with the business of the Redevelopment Agency, the Redevelopment Administrator shall call the roll of the members. The names of those present and the later arrival of any absentee shall be entered in the minutes.
- 6.4 Public Comment.** The public is welcome during the "Public Comment" portion of a meeting to address the Redevelopment Agency on any matter within its jurisdiction, except for items scheduled for "Public Hearing." Comments are limited to three minutes per speaker. A member of the public wishing to speak during "Public Comment" must come forward to the podium and give his or her name, city of residence (optional) and organization represented, if any. He or she shall also fill out a card with his or her name, address and organization represented, if any, for the Redevelopment Administrator. The latter may be waived if the name and address are known to Redevelopment Administrator.

All remarks shall be addressed to the Chair. No person other than the person having the floor shall speak on the matter, except upon recognition of the Chair. The Redevelopment Agency will not discuss any item brought up during Public Comment, except that upon recognition of the Chair, Redevelopment Agency members or Agency staff may briefly respond and the Chair or Redevelopment Agency may refer the matter to Agency staff or to a subsequent meeting for further action. Public comments may be submitted to the Redevelopment Administrator in writing on forms provided. If at any time these rules are not followed, the Chair may call the speaker to order, ask the speaker to terminate his or her remarks, recess the meeting, or require the removal of an individual who is willfully interrupting the meeting.

6.5 Consent Calendar. All items on the consent calendar may be adopted by a single motion with a majority vote of the Redevelopment Agency. The Chair need not read out loud each individual item listed on the consent calendar agenda. The Chair shall, however, read out loud the titles of any public hearing items on the consent calendar. The Chair may (at his or her own discretion) and shall (upon request of any Agency member) pull any item from the Consent Calendar and move it to the end of the agenda or to an appropriate place on the agenda as approved by a majority of the Redevelopment Agency.

6.6 Public Hearings, Generally. For each scheduled Public Hearing, the order of the hearing shall normally be as follows, subject to change by the Chair, so long as all parties are given an opportunity to be heard:

- Chair opens the public hearing.
- If required, oral staff report(s) providing the general nature of the item and summarizing any correspondence received.
- Presentation by proponent or his or her designated representative. If the applicant or a representative does not appear, the Redevelopment Agency may proceed based on the record before it. Formal presentation, including evidence, and exclusive of questions from the Redevelopment Agency, shall not exceed fifteen minutes, except by permission from the Chair or a majority of the Redevelopment Agency, which permission shall be liberally granted.
- Comments and evidence by those in support of the proponent (which will generally be limited to three minutes for each speaker).
- Comments and evidence by those in opposition to the proponent (which will generally be limited to three minutes for each speaker). In a contested matter, such as an appeal, formal presentation by an opponent shall not exceed twenty minutes, except by permission from the Chair or a majority of the Redevelopment Agency, which permission shall be liberally granted. In such an instance, those wishing to speak in support of an opponent shall provide comments and evidence after the opponent.

- Comments that support neither proponent nor opponent (which shall be limited to three minutes for each speaker).
 - Rebuttal by proponent, which shall not exceed five minutes, except by permission from the Chair or a majority of the Redevelopment Agency.
 - Chair closes the public hearing.
 - Redevelopment Agency discussion and deliberation.
 - Redevelopment Agency vote.
- a. **Time Limitations.** During any presentation or comments, the Chair may limit an individual's time and may limit the number of speakers with similar positions.
 - b. **Written Comment.** Written comments and/or materials may be submitted to the Redevelopment Administrator, who will forward it to the Chair. Copies of written material that is distributed to the Redevelopment Agency should also be made available for public review.
 - c. **Questions to proponents, opponents, and staff.** An Agency member, upon recognition from the Chair, may question any speaker or Agency staff during the hearing, but shall not introduce a motion on the matter until the public hearing is closed.
 - d. **Outside Evidence.** If an Agency member has received evidence outside of the public hearing, the Redevelopment Agency member shall disclose the fact of receipt of such evidence and the nature and substance of such evidence, and shall allow all parties to the proceeding to comment upon or refute such evidence before a final decision is made.
 - e. **Evidence Available.** Documentary, written or graphic evidence presented to the Redevelopment Administrator shall, if possible, be photocopied and distributed to the Redevelopment Agency members and made available for inspection by the public at the hearing.
 - f. **Continuing Hearings.** Any hearing may be continued to the next regular meeting date, or to any other hearing date. If a specific, continued hearing date is announced by the Chair, no further notice need be provided regarding the matter, except as required by law.

6.7 Rules Concerning Public Participation in Public Hearings and Non-Public Hearings

- a. **Policy.** All persons interested in any matter being heard by the Redevelopment Agency shall be entitled to submit written, verbal or graphic evidence.

- b. **Protocol.** A member of the audience must come forward to the lectern microphone and give his or her name, city of residence (optional), and organization represented, if any. He or she shall also fill out a card with his or her name, address and organization represented, if any, for the Redevelopment Administrator. The latter may be waived if the name and address are known to Redevelopment Administrator. All remarks shall be addressed to the Chair, except that answers to questions posed by a Redevelopment Agency member recognized by the Chair may be addressed to the questioner. No person other than a member of the Redevelopment Agency and the person having the floor shall enter into any discussion, either directly or through an Agency member, without the permission of the Chair. Said comments must be pertinent to the relevant topic, which is the subject of discussion. A member of the public may not ask a question of an Agency member or staff member, except through the Chair. If at any time these rules are not followed, the Chair may call the speaker to order, ask the speaker to terminate his or her remarks, recess the meeting, or require the removal of an individual who is willfully interrupting the meeting.
- c. **Advance Requests to Speak.** Anyone desiring to speak to the Redevelopment Agency during the public discussion may submit a written request in advance of the meeting. The Redevelopment Administrator shall provide the Chair the names of such persons desiring to speak.
- d. **Requests to Speak Submitted at the Meeting.** Members of the audience wishing to speak during the public discussion are requested to fill out a "Request to Address the Redevelopment Agency" card and hand the card to the Redevelopment Administrator at the beginning of the meeting. The Redevelopment Administrator will advise the Chair when requests to speak are in hand. Persons submitting such requests will be heard after the persons who have made advance requests. Persons wishing to speak in favor of either a proponent or an opponent must submit their cards in timely fashion consistent with section 6.6 of these Rules. Comments by members of the audience will generally be limited to three minutes for each speaker.
- e. **Duplication of Remarks.** All speakers are urged to prevent duplication in their remarks and to only present information to the Redevelopment Agency which prior speakers have not presented. Those who concur with prior speakers and would otherwise only duplicate prior remarks are requested to simply indicate their agreement or support. If the Chair determines that a speaker is merely duplicating prior testimony, the Chair may ask the speaker to terminate his or her remarks in an orderly fashion.
- f. **Agency Discussion and Action.** Following the closing of the hearing, the matter is brought to the Redevelopment Agency for limited discussion before motions are made and action taken. There is no further comment permitted from the audience,

unless the matter is reopened by the Chair or a majority of the Redevelopment Agency.

6.8 Rules Of Debate And Order

- a. Rights of the Chair.** The Chair may debate from the Chair and vote as any other Redevelopment Agency member. The Chair shall not be deprived of any of the rights or privileges of an Agency member on account of his or her acting as the presiding officer.
- b. Floor Debate.** A Redevelopment Agency member wishing to speak shall address the Chair, and upon recognition, shall confine himself or herself to the question under discussion, unless properly introducing a new item of business. Except for purposes of inquiry or furnishing information to the Redevelopment Agency, Agency members should speak only to the matter under consideration, or a duly introduced motion or resolution. No Agency member, once recognized, shall be interrupted when speaking, unless it is to call him or her to order, or as otherwise provided herein. If an Agency member is called to order while speaking he or she shall cease speaking until the question of order is determined, and, if in order, shall be permitted to proceed. No Agency member shall speak more than once upon any one subject, until every other Agency member wishing to speak thereon has spoken. Each Agency member has a right to be heard on all items. In public hearings, Agency members shall avoid deliberating until all the testimony has been heard. This does not preclude asking questions of clarification at any time. No motion shall be entertained until each Agency member has had a chance to ask questions or offer brief discussion of a general topic, or has declined. Substantive debate on any motion or proposed action shall await presentation of a formal motion.
- c. Restriction of Discussion.** With the exception of public hearings, consideration of regular agenda items should be limited to thirty minutes. At the discretion of the Chair or a majority of the Redevelopment Agency, items not concluded within the allotted time may be held over.
- d. Motions.** Motions should be clearly stated. The Redevelopment Agency member making the motion should state, "I move that. . ." and state what the motion is exactly. No motion shall be made or entertained on any item identified in Section 4.2.c.3.F (Discussion Items) without the item first being announced and briefly identified and the Agency and public being given the opportunity to hear any staff report or Agency member report introducing such item. A motion is not valid and in order until both the preceding sentence is followed and the motion is seconded. A motion which is in order shall be acted upon unless withdrawn or superseded prior to any vote. A withdrawn motion shall not be recorded in the minutes. The Chair may state that he or she would entertain a motion. When a motion is pending

before the Redevelopment Agency, no person other than an Agency member shall address the Redevelopment Agency without first obtaining the permission of the Chair. There may be discussion on the motion, which discussion shall follow the manner set forth in Section 6.8.b. The motion may be restated by the Chair prior to calling for the vote.

- e. **Precedence of Motions.** When a resolution or motion is before the Redevelopment Agency, no other action shall be considered except a motion to (in order of precedence):

- adjourn, or fix the time of adjournment
- table
- recess
- call for the question
- refer
- postpone to a date certain, or to postpone indefinitely
- amend
- substitute a motion

- f. **Types of Motions.** These motions shall have precedence, in the order given, and shall (except to amend) be put to a vote without debate:

- 1) Motion to Table. A motion to table shall preclude all amendments or debate, except as to the amount of time the subject is tabled for. If the motion passes without a specified time, consideration of the subject may be resumed only upon motion of a member voting with the majority.
- 2) Call for the Question. When an Agency member calls for the question, (which is the same thing as “moving the previous question”) the Chair shall allow no further debate and shall ask, “Are we ready to vote on the motion?” If the question carries, the Chair shall put the matter under consideration to a vote. If the question does not carry, the matter shall remain before the Redevelopment Agency.
- 3) Motion to Amend. Any Agency member may make a motion to amend a main motion during deliberations. All amendments must be seconded. Once a motion to call for the question has carried, or the Redevelopment Agency is otherwise ready to vote, the Chair shall put the pending amendment to a vote, before putting the main motion to a vote. In the event there is more than one amendment being considered, the amendments shall be put to a vote by the Chair in the inverse order of their introduction before putting the main question to a vote.

- 4) Substitute Motion. Any Agency member may make a substitute motion to an original motion during deliberations on a motion. A substitute motion is not in order unless it is seconded. Unlike a motion to amend, a substitute motion may only be acted upon once the Redevelopment Agency has been given the opportunity to debate and amend the original motion.
- 5) Division of Question. If a question put before the Redevelopment Agency contains two or more separable propositions, the Chair may, and shall upon the request of an Agency member, allow a division of the question.

7. VOTING AND DECISION; RESOLUTION; RECONSIDERATION

- 7.1 **Votes on Resolutions Granting Franchises.** Three affirmative votes shall be required for resolutions granting franchises and for motions for the payment of money.
- 7.2 **Votes on Other Motions.** A majority of a quorum shall carry other motions, except when otherwise required by law.
- 7.3 **Tie Votes.** All votes resulting in a tie constitute a denial of the pending motion.
- 7.4 **Voting Procedure.** Every Agency member should vote on each matter presented. Any failure to vote must be explained prior to a vote if the Agency member is not participating due to a conflict, or potential conflict, under the Political Reform Act. Agency members may not explain their vote during a roll call. Agency members may submit a written explanation or dissent not to exceed 200 words for inclusion in the minutes.
 - a. **Changing Vote.** Any Agency member may change his or her vote before the next order of business.
 - b. **Voting Disqualification.** If, with respect to a particular item, an Agency member has a conflict of interest pursuant to Government Code § 81000 et seq., or a contractual conflict pursuant to Government Code § 1090, or an incompatibility of office issue pursuant to Government Code § 1126, or is otherwise precluded from voting by law, he or she shall state the reason for not voting and thereafter leave the dais until that matter is concluded.
 - c. **Roll Call Voting.** All voting shall be by roll call vote.
- 7.5 **Resolution as Final Action.** After a vote is taken on a matter before the Redevelopment Agency, the Chair may direct the Redevelopment Administrator's office to prepare a resolution reflecting the Redevelopment Agency's findings and decision, if an appropriate resolution is not already prepared. The vote is not considered final until the resolution is reviewed and approved by the Redevelopment Agency. A resolution brought back to the Redevelopment Agency at a subsequent meeting may be placed on the consent calendar. If

the resolution is considered at a subsequent meeting and involves a public hearing, the Redevelopment Agency may receive no comments from the applicant or the public, unless the public hearing has been continued or is re-noticed.

7.6 Reconsideration of Quasi-Judicial Actions. A motion to reconsider any quasi-judicial action taken by the Redevelopment Agency may be made by any Agency member who voted with the majority on a question but may be seconded by any Agency member. The motion must be approved by a majority vote of the entire Redevelopment Agency.

a. Timing of Motion to Reconsider. The motion must be made at the same meeting at which the action was taken (including an adjourned or continued meeting), at the next regular meeting of the Redevelopment Agency or at any intervening special meeting of the Redevelopment Agency. If a request for reconsideration is communicated to the Chair or Executive Director by any Agency member who voted in the majority on a question prior to the state law deadline for posting the Redevelopment Agency meeting agenda, then the request shall appear on the posted agenda for the next regular meeting or intervening special meeting. Otherwise, no Redevelopment Agency discussion or action on reconsideration may occur unless the item is appropriately added to the agenda pursuant to Government Code §54954.2(b) which addresses adding items that are not listed on a posted agenda.

b. Effect of Approval of Motion. If the motion to reconsider is made and approved at the same meeting at which the initial action was taken and all interested persons (including applicants, owners, supporters, and opponents) are still present, the matter may be reconsidered at that meeting or at the next regular meeting or intervening special meeting (subject to the discretion of the maker of the motion) and no further public notice is required. If the motion to reconsider is made and approved at the same meeting at which the initial action was taken but all interested persons are not still present, or if the motion is made and approved at the next regular meeting or intervening special meeting, the item shall be scheduled for consideration at the earliest feasible Redevelopment Agency meeting and shall be re-noticed in accordance with state law, the Pleasant Hill Municipal Code and local notice provisions adopted by Redevelopment Agency resolution.

7.7 Reconsideration of Legislative or Other Non-Quasi-Judicial Actions. The Redevelopment Agency may rescind, repeal or amend its prior legislative or other non-quasi-judicial actions in situations where it is not precluded from doing so under applicable laws at any regular or special meeting of the Redevelopment Agency. Noticing and scheduling of such actions shall be consistent with Rule 4, Redevelopment Agency Agenda Preparation; Contents of these Rules and Procedures and any required notice provisions.

8. COMMISSION/COMMITTEES

8.1 Agency Subcommittees. The Chair may designate Agency subcommittees and Ad Hoc Committees, and may appoint Agency members to serve on such committees with their

consent. Such appointments terminate at the expiration of the Chair's term of office and are subject to ratification of a majority of the Redevelopment Agency.

- 8.2 Agency Committees.** The Redevelopment Agency may establish by resolution such committees or commissions of its citizens and others as it shall deem advisable for the proper administration of Agency business. It shall establish qualifications, committee or commission size, specified terms of office, and compensation (if any), and shall appoint persons to serve on the committees and commissions.
- 8.3 Time.** The above appointments shall be made at a regular or special Redevelopment Agency meeting.

9. APPOINTMENTS TO BOARDS OF OTHER GOVERNMENT AGENCIES

- 9.1 Agency member.** If the Agency's representative to a Board of another government agency is an Agency member, the Chair may appoint any Agency member, with his or her consent. The appointment shall terminate at the expiration of the Chair's term of office, and is subject to the concurrence of a majority of the Redevelopment Agency. Each appointee shall have a designated alternate, appointed in the same manner as the appointee, who shall attend all committee meetings in the appointee's absence upon timely notification by the appointee.
- 9.2 Citizen.** If the Agency's representative to such a Board is a citizen, the Redevelopment Agency shall make this appointment by majority vote. Each appointee shall have a designated alternate, appointed in the same manner as the appointee, who shall attend all committee meetings in the appointee's absence upon timely notification by the appointee.
- 9.3 Time.** Appointments shall be made at a regular or special Redevelopment Agency meeting.

* * *